

PATENT
Attorney Docket No.: 600323-057

REMARKS

This present Preliminary Amendment is being submitted with a Petition to Revive, in view of the inadvertent abandonment of the present Application. For the purpose of advancing the prosecution of the present case, Applicants submit a Request for Continued Examination, although the previously filed Office Action of August 23, 2006 was an improper Final Office Action. The Examiner originally issued a non-final Action without regard to the previously filed Preliminary Amendment. In the August 23, 2006 final Office Action, the Examiner acknowledges this omission and presents the supplemental Office Action, but makes it a final action. This was improper. Regardless thereof, Applicants request revival and examination of the present application accordingly.

Amendment to the Claims

Claim 32 has been amended to further indicate that the first translating means is different from the second translating means. This amendment does not add any new matter and is therefore proper.

Rejection of claims under 35 U.S.C. §103(a)

Claims 32, 34 and 36-39 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,587,867 (Miller) in view of U.S. Patent No. 6,034,970 (Levac). In support of this rejection, the "Examiner interprets 'the second translating means' means as 'the first translating means.'" While Applicants respectfully disagree, claim 32 has been amended to further obviate this improper interpretation. In view thereof, Applicants submit the rejection is no longer applicable.

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Regarding claims 33 and 35, Applicants submit these claims recite additional patentable subject matter and are allowable for at least the same reasons above regarding claim 32.

Claims 40-41 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,141,759 ("Branndy") in view of U.S. Patent No. 6,314,088 ("Yamano") in view of Levac.

In support of this rejection, the Examiner indicates Yamano as teaching or suggesting the limitation of "determining which SCP stores the requested network information." Applicants respectfully disagree because Yamano does not teach or suggest the affirmative step of "determining which SCP stores the request information," but rather provides a binary operation of if the information is not on the first configuration server node, access and download information from the second server node. This is inconsistent with the claimed "determining" step.

Furthermore, in support of this rejection, the Examiner indicates the claimed limitations of the "network element adaptor" are inherent, to which Applicants respectfully disagree. In presenting the obviousness rejection over the combination of the three references, none of these three references teach or suggest the claimed "network element adaptor," but rather the rejection includes the indication of this element being "inherent." Claim 40 recites "providing the requested network information to a network element adaptor; and at the network element adaptor, translating the requested network information..." (emphasis added). Levac teaches a message server that converts a message and message updates to a protocol usable by one of the designated recipient devices. The message server does not inherently teach or suggest the claimed network element adaptor because the server is described as performing these functions

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through the use of the protocol converters 24a-n, which are within the server and hence not a network element adaptor.

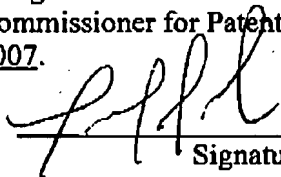
Regarding claim 43, Applicants submit this claim recites additional patentable subject matter and is allowable for at least the same reasons above regarding claim 43.

For at least all of the above reasons, the Applicants respectfully request that the claims be presented for examination. To expedite prosecution of this application to allowance, the examiner is invited to call the Applicants' undersigned representative to discuss any issues relating to this application.

Dated: October 11, 2007

Respectfully submitted,

CERTIFICATE OF TRANSMISSION
I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents on October 11, 2007.



Signature

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